

EXISTING AND FUTURE LAND USE

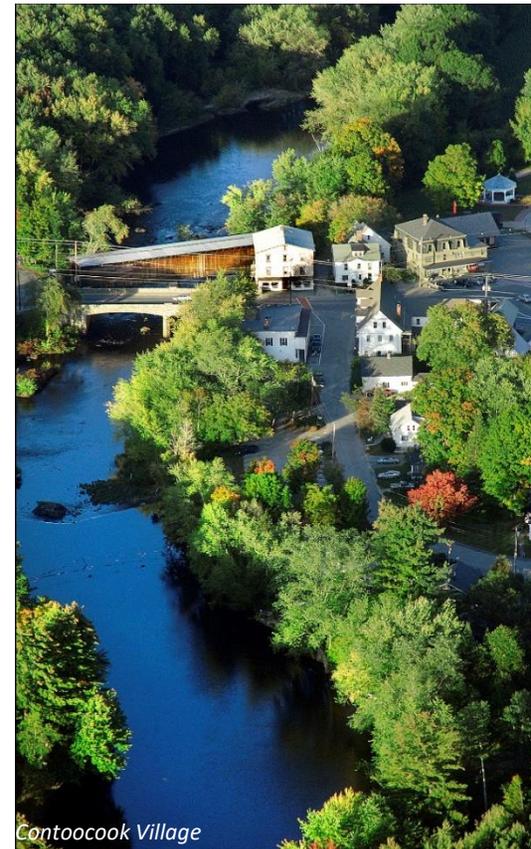
We want to begin this chapter by recognizing that the Town of Hopkinton is part of the traditional homelands of the Abenaki people, whose communities lived and sustained themselves along the Contoocook River.

This chapter aims to identify and explore land-use trends in Hopkinton, discuss how regulations impact such trends and offer recommendations as to what regulatory steps should be taken in the future to meet the growing housing, economic, environmental, and land use needs of the community.

Increased population growth, evolving housing needs, and changing social and economic trends discussed throughout the Master Plan have directly impacted the landscape of the community. Land is a finite resource, and thoughtful use of land is a critical issue for all communities. How a community manages its land base directly impacts aesthetics, community character, transportation infrastructure, housing affordability, and the tax base.

Hopkinton's historic development pattern was determined long before the state had land-use regulations. Development occurred in those areas with good drainage, access to a water supply, and transportation infrastructure. Hopkinton's current development is driven by southern New Hampshire's economic expansion. This pressure is primarily felt in the housing sector, as Hopkinton is viewed as an attractive bedroom community to Concord and Manchester.

For Hopkinton to maintain its rural character while at the same time accommodating its fair share of elderly and affordable housing, it is



Contoocook Village

important for the Town to utilize innovative zoning techniques. These techniques include strengthening cluster zoning regulations (Conservation Subdivision design), encouraging senior and workforce housing within the Town, supporting appropriate levels of mixed uses in the two Villages and the new Commerce and Community Overlay District (CCOD), and considering a range of infrastructure improvements to proactively plan for the future.

KEY FINDINGS

Hopkinton appreciates its rural character while noting that there are a variety of proactive measures that can help the Town address growth pressures, allow for the evolution of housing options, and enhance the commercial tax base.

- Hopkinton's rural atmosphere is greatly appreciated, and there is a strong interest in retaining that character. At the same time, there is interest in continuing to develop the commercial tax base and supporting mixed uses in the new CCOD district in West Hopkinton and Contoocook Village.
- Future infrastructure improvements could play a large role in guiding future growth and revitalization. The potential projects range from water and sewer extensions to key intersection improvements planned for the US 202/NH 9/NH 127 intersection. In addition, potential infrastructure projects could strengthen sidewalks and pedestrian/bicycle networks in Contoocook Village and the use of streetscape recommendations from the 2000 Contoocook Village Charrette that includes potential improvements to the Park Avenue/Pine Street and Fountain Square intersections.
- Available incentives include the Exit 6 Economic Revitalization Zone (ERZ) and Tax Increment Finance (TIF)

district, the Contoocook Village Economic Revitalization Zone, and Contoocook Community Revitalization Tax Incentive Zone. All are valuable tools to foster a wide variety of development opportunities within certain areas of Hopkinton. Consideration should be given to the future adoption of the Commercial and Industrial Construction Exemption.

- A "regulatory study" of the Site Plan and Subdivision Regulations will help assess the clarity, predictability, and ease of use of the Site Plan and Subdivision Regulations. Further, it can assess whether these documents meet the needs and intent of the Planning Board. Lastly, it can help keep the costs of permitting down.
- There are several methods to encourage a variety of housing options. These include modification of the Conservation Subdivision regulations, continued support of mixed-use development in certain areas, support for workforce housing, and continued support of Accessory Dwelling Units (ADUs). See also the Housing Chapter.

WHAT THE COMMUNITY SURVEY SAID...

Community input highlighted residents' appreciation of the Town's rural landscape and small-town atmosphere, including recreational facilities, scenic areas, the historical character, villages, and natural resources.

Concern was often expressed about the tax rate. There is a strong desire to lower the tax rate, with many proposing the solution of additional commercial development that retains the Town's rural feel, follows defined physical standards, and preserves historic

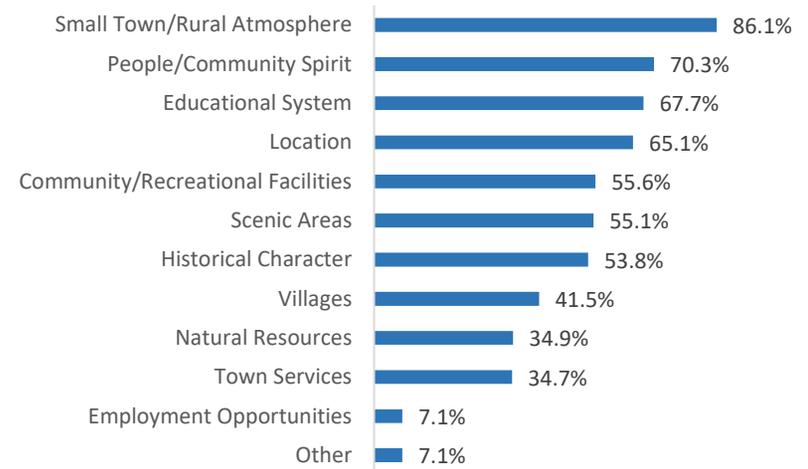
buildings and character. This sentiment was especially common in the Contoocook Village area and the vicinity of Exit 6.

Mixed-use development was supported in the vicinity of the US 202, NH 9, and NH 127 intersection, especially as many felt this would help add to the Town's tax base without impacting the character of the Town or its Villages. Traffic and safety at this intersection were also mentioned and would need to be addressed prior to any development.

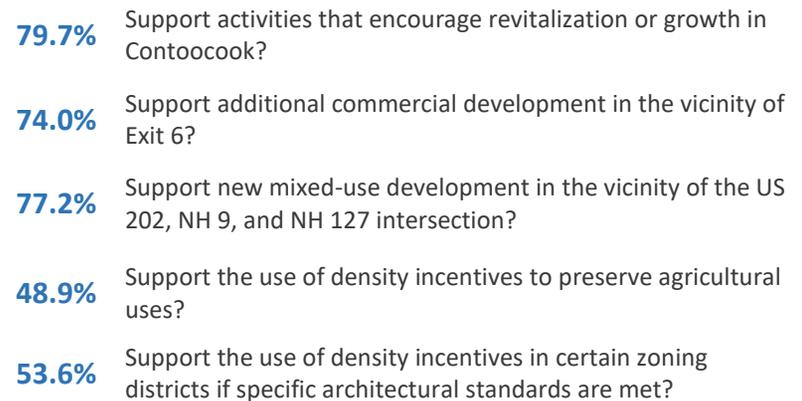
The use of density incentives had varying support, with 48.9% in support of density incentives to preserve agricultural uses and 53.6% in support of density incentives in certain zoning districts when specific architectural standards are met.



What are the desirable features of the Town of Hopkinton?



Land Use Initiatives Supported by Hopkinton Residents and Landowners



EXISTING LAND USE

Natural and developed features each have a significant impact on the development pattern of a community. Such forces shape Hopkinton as rolling topography, the Contoocook River, floodplains, the Hopkinton-Everett Flood Control Area, as well as the railroad, and major highways. Hopkinton's development pattern is a by-product of these multiple influences.

Before the American Revolution, the existing development pattern in Hopkinton Village was largely influenced by the regional transportation network. Created in 1735, the Village developed around a central Main Street (Route 103) and was home to a small commercial, professional, and service base. Industrial areas first developed around the Contoocook River, a prime energy source for mill operators and larger establishments. High-density residential development was soon constructed to provide housing for the mill workers in Contoocook Village. With the advent of the railroad, the area continued to thrive. With political prominence emerging in Hopkinton, the New Hampshire Legislature and Courts began meeting here, and taverns, homes, and a jail were built.

With Concord becoming the official State Capital and from changes in the transportation system, the Village has become largely residential. Though the railroad is now discontinued and many of the mills are no longer standing, the Village remains largely intact. Agriculture was and continues to play a role in Hopkinton's economy and community character.

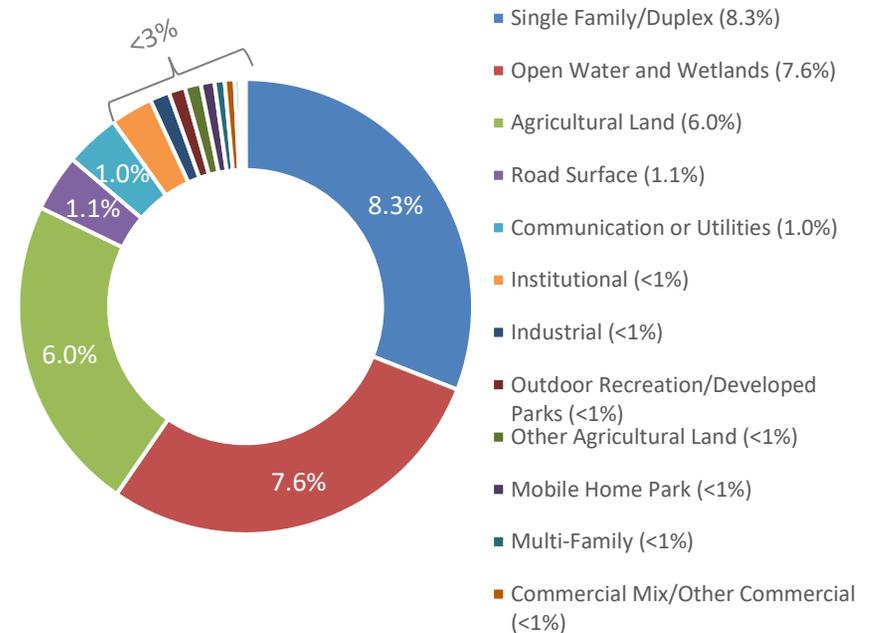
The types of land use, the patterns of development, and the current Town zoning describe the Town today.

LAND USE CATEGORIES

Hopkinton's existing land use pattern is typical of many rural communities in New Hampshire; commercial land uses are located along heavily traveled regional roadways, while most residential development is located in the backlands of the community. Please see the **Existing Land Use Map** for more detailed information. The following table summarizes the current composition of land uses in Hopkinton.

Figure 5-1: Percentage of Acreage Developed by Category

CNHRPC Geographic Information System (GIS), 2021



Of the developed land use categories, single-family/duplex had the highest percentage with 2,397 acres, totaling 8.3% of total land area. This land use is present throughout Hopkinton. Multi-family homes and mobile home parks are also present in Hopkinton but

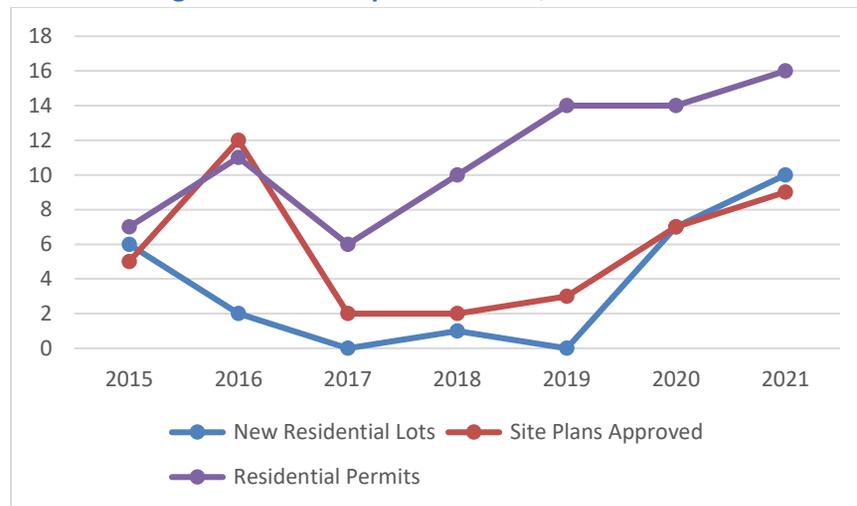
cover much less acreage than single-family, with 56 and 75 acres, respectively. Open water and wetlands cover 2,204 acres, totaling 7.6%. Agricultural lands cover 1,730 acres, or 6.0%, respectively.

Other uses with much smaller percentages include road surfaces (1.1%) and communication or utilities (1.0%). The remaining categories all have less than 1% each and include institutional, industrial, outdoor recreation/developed parks, other agricultural lands, commercial mix/other commercial, cemeteries, commercial services, gravel pits, and commercial retail.

RECENT DEVELOPMENT TRENDS

Figure 5-2 displays the number of residential building permits, site plans approved, and the number of new lots created between 2015 and 2021.

Figure 5-2: Development Trends, 2015-2020



Hopkinton Town Staff

As shown in the graphic, there has been a steady increase in the number of residential building permits approved, with 16 new

permits in 2021 and a total of 14 new permits approved in each of the two years prior. Figure 5-2 displays a recent uptick in the number of new residential lots and approved site plans. However, increases in 2020 and 2021 are still below the levels experienced in 2016. In 2021, there were ten new residential lots and nine site plans approved. The Economic Base and Housing chapters further highlight single-family unit construction outpacing multi-family unit construction.

DEVELOPMENT CONSTRAINTS

Land development projects are typically affected by a range of natural and constructed restrictions. These limitations to development have been identified and are shown on the **Development Constraints Map**. What follows are a series of brief descriptions of these various limitations to development.

WETLANDS

Wetlands are areas where water is present at or near the soil surface for at least part of the growing season and influences the plants that can grow there and the soil characteristics. There is now a much greater understanding of the function that wetlands provide, including flood control, water storage, groundwater recharge, erosion and sediment control, pollution filtration, and wildlife habitat. Based on GIS data provided by NH GRANIT, Hopkinton has 2,762 acres of wetlands, including water bodies located throughout the Town, or approximately 9.5% of Hopkinton's total land area, respectively.

FLOODPLAINS

Floodplains are areas with the potential to carry and store floodwaters. Preserving the floodplain's ability to store this excess water is key to protecting surrounding land uses, especially as the trend of extreme storms and frequency increases. An examination

The Connection between Economic Development and Land Use

Although they are addressed as separate chapters in this Master Plan, land use and economic development are intrinsically linked within community development. Zoning for instance will guide how land is used as it sets development policy for the Town. Sewer and water expansion are key to facilitating higher density, and a mix of land uses can collate customers near businesses.

Within the Economic Base Chapter these links become evident. For instance, specific types of economic development are identified as preferable, including restaurants, agriculture, professional businesses and home businesses which can be the basis for permitted uses in zoning. Tax incentive districts such as the Contoocook Village Community Relief District and the two Economic Revitalization Zones are highlighted as they are in this Chapter. Sewer and water are cited as ways to foster development and greater density. Finally, specific zoning changes are highlighted that can be found both in this Chapter and in the Municipal Technical Assistance Grant (MTAG) report, notably support for the CCOD zone, greater housing choice, and the amendment of the boundaries within the M-1 Zone. It is crucial then, to look at land use through the lens of economic development, and economic development from the perspective of land use.

of these floodplain areas indicates they are mostly open lands which are owned by the Town, U.S. Army Corps of Engineers, and private property owners.

Additional areas of concern are found along the Contoocook River in the vicinity of Contoocook Village. There are 4,547 acres of 1%

annual chance of flood acreage (formerly known as 100-Year Floodplain) in the Town, or 15.8% of Hopkinton's area, which includes the Hopkinton-Everett Flood Control area.

STEEP SLOPES

Slopes greater than 15% are present in areas throughout Hopkinton and create a number of difficulties and dangers associated with development. Overall, approximately 4,219 acres (or 14.6% of Hopkinton's total land area) is considered a steep slope.

AQUIFERS

Aquifers are sometimes quite large, underground deposits of porous rock, sand, and other similar earth materials containing water into which wells can be dug or drilled. Information obtained from the U. S. Geological Survey indicates that stratified drift aquifers are broadly located in the vicinity of the Dolf Brook and the northern portion of the Contoocook River. In several instances, these underground water deposits underlie areas of high residential population, especially in the vicinity of Dolf Brook. Less significant aquifer deposits are also located in the north portion of Town beneath the entire span of the Contoocook River.

With the exception of private wells, drinking water is provided to the community in several ways. First, the Hopkinton Water Precinct provides a large portion of public water via wells in the Town. The other major provider, Contoocook Village Precinct, provides its water via Bear Pond. Finally, there is a Town-owned community well located on land adjacent to the Transfer Station that currently provides water to five nearby homes as well as the Transfer Station.

PUBLIC LANDS

Along with other public entities and agencies, the Town of Hopkinton possesses various public lands throughout the Town, many of which are protected. The largest protected land is the

Hopkinton-Everett Flood Control Reservoir, held by the Army Corps of Engineers, which controls most floodplains. Other protected lands include parcels protected by conservation easements, fee ownership, open space, and deed restrictions. Specific easements and protected lands can be seen on the **Conserved Lands Map**. There is an estimated 3,822 acres of conservation land in Hopkinton or 13% of the Town.

CURRENT USE TRENDS

In 1973, the New Hampshire State Legislature enacted RSA 79-A:1 and created the Current Use program, which is a tool landowners can use to reduce the amount of property tax they pay on open space and an incentive to keep the land in its traditional use. Before the statute was enacted, financial burdens were placed on individuals with large open spaces since property taxation was based on the highest and best use of the land. Now, under the program, the Current Use value applies to at least 10 acres of land at an assessed valuation based upon the income-producing capability of the land in its current use, not its real estate market value.

Property owners can file for reduced property taxes through the Current Use taxation program at the Town Offices, where the municipality's assessor shall determine the valuation in accordance with the range of Current Use values established by the state's Current Use Board (CUB). Eligible land types include farmland, forest, open space, unproductive, and wetlands.

By allowing open space land to be classified as Current Use, it is an incentive for landowners not to develop their property. When land is removed from Current Use, ten percent of the full and true value of the land, not the Current Use assessed value, must be paid as a Land Use Change Tax (LUCT).

Figure 5-3 illustrates the total acres and parcels in Current Use, and the number of owners. It is worth noting that 50% of the Land Use Change tax collected in 2021 was allocated to the Conservation Commission for conservation purposes. This is an annual occurrence and was increased from 35% previously. The total land-use change tax collected for 2021 was \$28,282 based on 60 acres.

Figure 5-3: 2021 Hopkinton Current Use Statistics



For more information on Current Use, please refer to the NH Department of Revenue Administration's Current Use Program.

Housing and Land Use

Housing needs in Hopkinton, like much of the state, are evolving as demographics change, the median age of the population increases, and seniors look to downsize. Further, there are affordability challenges for first-time home buyers and young families as well as downsizing seniors.

As described in the Housing Chapter, these two groups are competing for the same housing. What is necessary to address housing needs in Hopkinton are more affordable housing, a greater variety of housing types, and increased density where possible. Conservation and cluster-type subdivisions can address many of these needs. These developments allow for greater density which can lower cost by requiring shorter roads and infrastructure. Cluster subdivisions also can further conservation efforts by ranking and prioritizing the type of open space the community would like to see preserved. Another approach is to include density incentives for smaller homes in the subdivision, such as two and three bedrooms, single-family homes, and selling to Hopkinton seniors or first-time home buyers first.

A final approach is to ensure the plan approval process is clear and efficient, as this will save time and in turn, money, for developers. Reviewing the Site Plan and Subdivision Regulations to assess clarity, predictability, and ease of use will identify changes that can be made to the approval process, helping all types of development, including housing.

LAND USE REGULATIONS

HOPKINTON'S ZONING

The power to regulate private property through zoning is one of the most important powers allocated to local government. If used properly, zoning can be a powerful tool to improve the aesthetics of a community, protect the natural environment, and increase the quality of life. Used improperly, zoning can serve special interests, diminish the natural environment, and increase disparities between socioeconomic classes.

In 1925, the New Hampshire State Legislature, using a United States Department of Commerce Model Standard Act, granted municipalities the ability to adopt zoning. Hopkinton first adopted zoning in March 1964 for all areas of the Town, except Hopkinton Village Precinct. This initial effort separated the community into four Districts, which required minimum lot areas ranging from 15,000 square feet to 40,000 square feet. The original Districts included a residential, commercial, agricultural, and industrial District. Later, rural residential and recreational Districts were created. This early zoning document contained many unique provisions, including affording property owners the ability to have flexible setbacks in areas where development already existed.

Today, Hopkinton relies on nine primary zoning Districts, as well as overlay Districts, to regulate land use within the community. The following is a summary of current zoning Districts and their associated performance requirements. The location of these Districts can also be seen on the **Zoning Map**.

Each of the nine zoning districts and three overlay districts accommodates residential and commercial uses as well as protects community character and fosters environmental and resource protection. The nine zoning districts include the

Residential/Agriculture District (R-4), the Low-Density Residential District (R-3), the Medium Density Residential (R-2), the High-Density Residential District (R-1), the Commercial District (B-1), Industrial (M-1), Village High-Density Residential District (VR-1), Village Commercial District (VB-1), and the Village Industrial (VM-1) as shown in Table 5-1.

Table 5-1: Hopkinton's Zoning and Overlay Districts
Hopkinton Zoning Ordinance

Type	District Name
Zoning District	Residential/Agricultural (R-4)
Zoning District	Low Density Residential (R-3)
Zoning District	Medium Density Residential (R-2)
Zoning District	High Density Residential (R-1)
Zoning District	Commercial (B-1)
Zoning District	Industrial (M-1)
Zoning District	Village High Density Residential (VR-1)
Zoning District	Village Commercial (VB-1)
Zoning District	Village Industrial (VM-1)
Overlay District	Wetlands Conservation Overlay (W-1)
Overlay District	Commerce & Community Overlay
Overlay District	Fair District Overlay

Overlay Districts include the Wetlands Conservation Overlay (W-1), Commerce & Community Overlay, and the Fair District Overlay. In addition to the various districts and overlay districts in place, Hopkinton has several ordinances and regulations that provide guidance for specific types of development. One is Accessory Dwelling Units (ADU), governed by Section 3.12 and complying with recent changes to RSAs. They are permitted in all districts and must meet a list of requirements consistent with the new state law. ADUs are a great tool to alleviate housing pressure for both young people new to the workforce and downsizing seniors.

Other ordinances in place include Section VII Sign Ordinance, Section XVII Floodplain Development Ordinance, Section XVIII Outdoor Lighting Ordinance, Section IV-A Architectural Design Review Ordinance, Section 3.10 Personal Wireless Service Facilities, Section 3.11 Small Wind Energy Systems, and Section 3.13 Solar Energy Systems.

It is also important to note the Town of Hopkinton has considered, as well as implemented, some zoning changes in West Hopkinton as a result of the findings of the Municipal Technical Assistant Grant (MTAG) program with Plan NH. MTAG looked specifically at issues in West Hopkinton and facilitated a public input session. This work identified both issues citizens were concerned about and some potential zoning solutions. Issues identified included: 1) a desire to protect rural and community character; 2) a need to address housing concerns, including housing cost and a need for housing stock smaller in size, including rental housing; 3) increased safety at the NH 127/Maple Street and US 202/NH 9 intersection; 4) develop retail carefully to protect/support businesses in Contoocook; 5) encourage age-restricted housing for seniors; and 6) encourage mixed-use (residential, small-scale commercial, and open space/recreation) in appropriate areas.

Considering the range of issues identified by residents during the MTAG process, several specific zoning updates were identified as potential solutions. These included: 1) revise the B-1 to require smaller minimum lot sizes and allow multi-family and affordable housing and recreation, retail, and commercial uses; 2) Change the zoning from M-1 to B-1 in the land surrounding the intersection of US 202/NH 9 and Maple Street/NH 127, and land along Maple Street across from the Rowell Covered Bridge; and 3) Adopt a "Commerce and Community Overlay District" allowing for greater

Infrastructure and Land Use

Water and Sewer Infrastructure

Density is a key element to meet the future land use goals in Hopkinton, and the presence of municipal sewer and water is essential to achieving these goals. Municipal sewer and water allow for smaller minimum lot sizes since leach fields, septic tanks, and the 75-foot protective well radii would not be needed. For Hopkinton, water and sewer service extensions on Maple Street, the areas of the Harts Corner, and the Exit 6 TIF Districts would serve as catalysts to increased density and facilitate a mix of uses. Without such infrastructure, these goals would be difficult to achieve.

Transportation Infrastructure

As described in the Transportation Chapter, there are several potential future transportation projects in Hopkinton that could impact future land uses. Improvements to the US 202/NH 9/NH 127 intersection (currently scheduled for construction in 2025/2026) will serve to both improve safety and offer better access to the new CCOD overlay district in West Hopkinton. Beyond that project, potential design changes at the NH 103/US 202 (Main Street) intersection and pedestrian related improvements in Contoocook Village would improve safety and could serve as a catalyst for future private investment. A potential future roundabout at Exit 4/US 202 would both slow traffic speeds entering Hopkinton Village and open up some of the existing public right of way in that area to different uses. A method to plan for those future uses could be the incorporation of a new Gateway Zone for the area with specific requirements for uses and architectural standards.

residential development as well as incentives for affordable and/or senior housing and/or communities (such as recreational or community spaces).

Finally, the Hopkinton Village Precinct, which is a separate entity from the Town of Hopkinton, has its own ordinance adopted in 1960 and its own regulations. The Village Precinct covers the area of Hopkinton Village and includes four zoning districts: General Residential District, Special Residential District, Office District, and General Commercial District. The Zoning Ordinance and other ordinances and regulations are available on the Town website. Ensuring a degree of compatibility and understanding of the opportunities for collaboration between the Town and Village Precinct will benefit all of Hopkinton.

HOPKINTON SUBDIVISION AND SITE PLAN REVIEW REGULATIONS

Like most New Hampshire communities, the voters of Hopkinton have authorized the Planning Board to conduct Site Plan and Subdivision reviews. A site plan review is designated for the development, change, or expansion of the use of tracts for non-residential uses and for multi-family dwelling units. Subdivisions involve the division or resubdivision of land (i.e., adjusting the lot line(s) between one or more existing lots). Both applications involve a similar process: 1) application is made; 2) Board determines if the application is complete; 3) Board determines if there is a regional impact; 4) Board approves or denies. When a plat is approved, it typically has conditions affixed, and once these conditions are met, the plans may be signed and building permits issued.

Hopkinton's Site Plan Regulations and Subdivision Regulations lay out the process for both types of applications, outline a clear and predictable approval process, and comply with state statutes. The

Planning Board should periodically review these regulations for conflicts, including ease-of-use issues which may develop over time.

Like the Zoning Ordinance, these documents are living documents that need to be reviewed and updated on occasion to ensure effectiveness and clarity. Additional details on studying the regulatory framework can be found in the Economic Base Chapter.

Like the Zoning Ordinance, the Hopkinton Village Precinct has its own Site Plan Review Regulations and Subdivision Regulations. Both sets of regulations are available on the Town's website.

OBJECTIVES AND RECOMMENDATIONS

The following objectives were developed to capture the overall aims of the Existing and Future Land Use chapter. Individual recommendations were developed that correlate to the existing conditions and needs of the community.

OBJECTIVE 1:

Continue to support a mix of uses in the Harts Corner/West Hopkinton/Maple Street area.

- Promote mixed-use development opportunities in the Commerce and Community Overlay District (CCOD) in West Hopkinton along NH 127 (Maple Street) to the north of the US 202/NH 9/NH 127 intersection. Support and promote the appropriate inclusion of multi-family housing as an element of future development proposals.
- Continue efforts to evaluate potential water/sewer service extensions on Maple Street, including Harts Corner and Exit 6.
- Utilize the Harts Corner and Exit 6 Tax Increment Financing (TIF) districts as appropriate to foster mixed-use and commercial development.

- Promote the availability and use of the Exit 6 Economic Revitalization Zone (ERZ).

OBJECTIVE 2:

Continue to support actions to revitalize Contoocook Village.

- Continue to support mixed uses and appropriate densities in Contoocook Village.
- Review and update as appropriate the streetscape design recommendations included in the 2000 Contoocook Village Charette. Consider future improvements to the Park Avenue/Pine Street and Fountain Square intersections.
- Promote the availability and use of the Contoocook Community Revitalization Tax Relief Incentive (RSA 79-E) and Contoocook Village Economic Revitalization Zone (ERZ).
- Expand the existing sidewalk networks in Contoocook and Hopkinton villages and promote pedestrian and bicycle transportation in the community.
- Identify common goals with the Hopkinton Village Precinct that can be pursued together.

OBJECTIVE 3: Support and promote appropriate commercial and mixed-use development in suitable areas of Hopkinton.

- Examine options to modify permitted uses and zone boundaries within the Burnham-Intervale M-1 zone.
- Consider the adoption of the Commercial and Industrial Construction Exemption (NH RSA 72: 80-83) within select M-1 zone areas.
- Consider future zoning changes in the vicinity of the US 202/Exit 4 Intersection in coordination with possible future improvements to the intersection.

OBJECTIVE 4:

Utilize incentives and simplify regulations to encourage their use and ensure clarity and ease of use.

- Simplify the application procedures for Conservation Subdivisions, notably the calculation of the base number of buildings and dwelling units.
- Consider the development of an open space ranking system that provides higher allowable densities when protecting more desirable open spaces, including agricultural land uses.
- Encourage Conservation Subdivision developments that specifically address the issues of affordability by way of a variety of housing types. Consider the enhancement of density incentives specifically for developments that include smaller homes (two and three bedrooms); ranch-style homes with one floor; sale of units to Hopkinton seniors who are downsizing; or first-time home buyers.
- Consider the development of incentives such as a reduced front setback for the incorporation of architectural standards in design.
- Periodically undertake a "process study" of the Site Plan and Subdivision Regulations to assess the clarity, predictability, and ease of use of the Site Plan and Subdivision Regulations. Further, assess whether these documents are meeting the needs and intent of the Planning Board.